IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 190 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

CHATURBHAI BIJALBHAI

Versus

STATE OF GUJARAT

Appearance:

MS SUBHADRA G PATEL for Petitioner

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 28/03/2001

ORAL JUDGEMENT

#. Rule. Public Prosecutor waives service of Rule on behalf of the respondents. The matter is taken up for final hearing as it pertains to the prayer of the petitioner for grant of furlough leave.

#. The petitioner is a convict and sentenced to suffer rigorous imprisonment for life by the learned Sessions Judge, Nadiad for the offence under section 302, IPC on 6-8-94. The petitioner enjoyed three times temporary bail leave and two times furlough leave and surrendered in time. He made an application for his due furlough leave to IG Prisons, in the months of August, 2000, but till date, what it is stated that, his application has not been decided.

#. Learned counsel for the respondents very fairly submitted that in case the application of the petitioner is not decided by the I.G. Prisons, it shall be decided within reasonable time as granted by this Court.

#. In the result, this special criminal application stands disposed of in terms that in case the petitioner has filed an application for furlough leave and the same is pending, then the I.G. Prisons, Gujarat State, Ahmedabad is directed to decide the same within a period of seven days from the date of receipt of writ of this order. Rule stands disposed of in the terms aforesaid.

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